



The Internet Corporation for Assigned Names and Numbers

21 December 2012

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Mr. Le Hai Binh
Mat Bao Trading & Service Company Limited d/b/a Mat Bao (IANA ID# 1586)
334 Cao Thang, Ward 12, District 10
Ho Chi Minh City
Viet Nam

E-mail: binhlh@matbao.com
Fax Number: +84 8 3868 0083

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Binh,

Please be advised that as of 21 December 2012, Mat Bao Trading & Service Company Limited d/b/a Mat Bao ("Mat Bao") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 19 August 2011 ("RAA"). These breaches result from:

1. Mat Bao's failure since 1 February 2012 to deposit Registered Name Holder and Registration Data with an escrow agent pursuant to Section 3.6 of the RAA;
2. Mat Bao's failure to provide a link on its website to ICANN's Registrant Rights and Responsibilities as required by Section 3.15 of the RAA;
3. Mat Bao's failure to provide an interactive web page with access to a Whois service that provides all data concerning Registered Names sponsored by the registrar, as required by Section 3.3.1 of the RAA; and
4. Mat Bao's failure to pay past due accreditation fees pursuant to Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.



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Additional Concerns Regarding Contractual Compliance Audit Program

As part of its Contractual Compliance Audit Program, ICANN sent Mat Bao a Pre-Audit Notification on 13 November 2012, a 1st Notice on 26 November 2012, and a 2nd Notice on 17 December 2012. As of 21 December 2012, Mat Bao has not logged into the audit website and has not contacted ICANN. Failure to comply with the Contractual Compliance Audit Program may result in a further breach notice against Mat Bao.

Conclusion

ICANN requests that Mat Bao cure the breaches by 17 January 2013, 15 working days from the date of this letter, by taking the following actions:

1. Either sign a contract with Iron Mountain or designate Mat Bao's own data escrow agent, and begin deposits of Registered Name Holder and Registration Data as required by Section 3.6 of the RAA;
2. Provide a link to any website that Mat Bao may operate for domain name registration or renewal to ICANN's Registrant Rights and Responsibilities at <http://www.icann.org/en/resources/registrars/registrant-rights-responsibilities>;
3. Provide an interactive web page with access to a Whois service that provides all data concerning Registered Names as detailed in RAA Sections 3.3.1 and 3.3.1.1 through 3.3.1.8; and
4. Pay all past due accreditation fees of \$4,508.51.

Failure to timely cure the breaches and provide the information requested may result in ICANN commencing the termination process.



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If you have questions or require assistance, please contact Owen Smigelski at owen.smigelski@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad", is written over a light blue circular watermark.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to Deposit Registered Name Holder and Registration Data

Mat Bao signed its RAA (2009) on 19 August 2011. Since 1 February 2012, Mat Bao failed to deposit the data escrow with Iron Mountain. As required by Section 3.6 of the RAA, Mat Bao does not a contract with Iron Mountain nor has Mat Bao designated its own data escrow agent. Despite repeated follow up by ICANN, and promises from the registrar that it would take action, there has been no action by Mat Bao since 20 November 2012.

Failure to Pay Accreditation Fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Mat Bao owes ICANN \$4,508.51 in past due accreditation fees, in breach of Section 3.9 of the RAA.



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Chronology:

Date of Notice	Deadline for Response	Details
11 Nov 12	16 Nov 12	ICANN sent first compliance notice via e-mail to binh@matbao.com & whois@matbao.com , regarding Registrar's failure to deposit data with Iron Mountain. Registrar required to make weekly deposits. Registrar did not respond.
18 Nov 12	27 Nov 12	ICANN sent second compliance notice via e-mail to binh@matbao.com & whois@matbao.com , regarding their failure to deposit data on a weekly basis, and to explain the steps the Registrar is taking to ensure the deposit obligations. Registrar did not respond.
20 Nov 12	N/A	ICANN spoke with registrar's primary contact— Mr. Binh via telephone at +84 983 799 999. Mr. Binh advised he would reply to the c-ticket.